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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,147	01/21/2004	Andrew G. Tucker	15437-0589	6464

29989 7590 11/15/2007  
HICKMAN PALERMO TRUONG & BECKER, LLP  
2055 GATEWAY PLACE  
SUITE 550  
SAN JOSE, CA 95110

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT PAPER NUMBER

2132

MAIL DATE DELIVERY MODE

11/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*Handwritten mark*

**Office Action Summary**

Application No. 10/763,147	Applicant(s) TUCKER ET AL.	
Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 28 September 2007.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-10, 13-22, 25 and 27 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-10, 13-22, 25, 27 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All b)  Some \* c)  None of:
    - 1.  Certified copies of the priority documents have been received.
    - 2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)
 

Paper No(s)/Mail Date 7/07-9/07.
- 4)  Interview Summary (PTO-413)
 

Paper No(s)/Mail Date. \_\_\_\_\_
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_

*VP 11/9/07*

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see pages 15-21, filed 9/28/2007, with respect to the rejection(s) of claim(s) 1-27 under 35 USC § 102(b) as being anticipated by US Patent 6064811 to Spilo et al.(hereinafter Spilo) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent 6633963 to Ellison.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 10, 13-17, 22, 25, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6633963 to Ellison et al.(hereinafter Ellison).
4. Regarding Claim 1, 13, 25, 27, Ellison discloses the establishing a global zone, wherein the global zone is a global operating system environment that can

support execution of one or more processes see Fig. 1A collectively including Normal execution and Isolated Execution; establishing a non-global zone within the global zone, wherein the non-global zone is a partition of the global operating system environment, wherein the non-global zone operates as a separate and distinct operating system environment, and wherein the non-global zone can support execution of one or more processes see Fig. 1A item "Isolated Execution"; isolating a first process executing within the non-global zone to the non-global zone so that the first process does not have visibility or access to processes and objects that are not associated with the non-global zone see Col 4 Ln 40-46; permitting a second process executing within the global zone to have visibility and access to processes and objects associated with the global zone see Col 6 Ln 31-39; and permitting the second process executing within the global zone to have access to processes and objects associated with the non-global zone, if the second process has a privilege to cross zone boundaries see Col 6 Ln 47-52.

5. Regarding Claim 2-3, 14-15, Ellison discloses the certain processes having cross-zone privileges see Col 6 Ln 40-52.
6. Regarding Claim 4-5, 10, 16-17, 22, Ellison discloses the zones having identifiers associated with each program see Fig. 1A item RING-0 – RING-3 & Applications & Applet.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6-9, 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6633963 to Ellison et al. (hereinafter Ellison) in view of US Patent 5841869 to Merklings et al. (hereinafter Merklings).

9. Regarding Claim 6-9, 18-21, Ellison does not disclose the mounting of the file system resources associated with the zone and enabling processes of this file system including the subdirectory to execute. However, Merklings discloses the mounting of the file system resources associated with the zone and enabling processes of this file system including the subdirectory to execute see Col 3 Ln 21-43. It would be obvious to one having ordinary skill in the art at the time of the invention to include the mounting of the file system resources associated with the zone and enabling processes of this file system including the subdirectory to execute in the invention of Ellison in order to semi-local level execution of an task in secure/ trusted zone as taught in Merklings see Col 9 Ln 29-47.

***Conclusion***

**10.** Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

**11.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

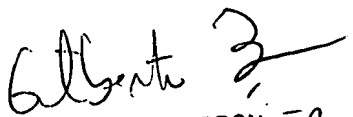
**12.** Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/  
Venkat Perungavoor  
Examiner  
Art Unit 2132  
November 9, 2007

  
GILBERTO BARRON JR  
SUPERVISORY PATENT EXAMINER  
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